1871 Objections to Plan to Dam the North River and Drain the Marshes

Transcript by Lyle Nyberg of article in *Hingham Journal*, available from Hingham Public Library website, <https://www.hinghamlibrary.org/>.

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“Draining of North River,” *Hingham Journal*, April 14, 1871, 2.

The following is a true copy of a communication which was put into the hands of the Chairman of the Committee on Agriculture, for their perusal, by one of the remonstrants against the petition of Thomas J. Tolman and others:

*Mr. Chairman and Gentlemen of the Committee*: We respectfully present to your Honors the following, as our reasons for rejecting the petition of Thomas J. Tolman and others.

We do not find anything definite in said petition. The petitioners merely ask the Legislature to grant them the privilege to build a dam, with flood gates, across North and South rivers in Plymouth County in order to drain the lands for agricultural purposes. They have not defined their position; consequently we do not know what to say to them. We do not know whether they intend to dam North river at Ferry Hill, about one mile from its mouth, at Little’s bridge, about four miles higher, or at Hobarts’s landing, still higher up, where the boundary line between Scituate and So. Scituate strikes the river. One mile above this point (Hobart’s landing) is Union bridge; it is about half way between the mouth and source of the main river. All that territory from Hobart’s landing to the third herring brook, on the north side of said river, is So. Scituate. The third herring brook is the boundary line between So. Scituate and Hanover.

We consider the meadow owners not properly notified by the petition. We, the meadow owners do severally object to your giving Thomas J. Tolman and others any privilege to dam across North river, at any point.

We have a wide expanse of meadow land east of Hobart’s landing; the land bears mostly blue and black grass of a good quality, say one and a half tons to the acre. We consider it worth nearly as much as our English grass, as it does not cost as much to improve the land.

We have about 2,560 acres of meadow, which we wish to retain as it now is rather than run the risk of damming out the salt water, thinking to improve it.

We have no faith in trying to stop the water out of said river at Ferry Hill; the beach running parallel to the river for three miles, and is also very low, composed of sand and pebble-stones. The salt water in hard storms comes directly over the low beach above mentioned into the North river; said beach being only eight rods [132 feet] wide, as can be seen by the map of Scituate.

In heavy storms, salt water from another source, that is, from Scituate Harbor, comes through into North river, some times to a very great extent. North river is twenty-five miles in length from its mouth to its main sources, which are the Indian Ponds in Pembroke, and the Drinkwater in Hanover.

There are nine extensive tributaries which flow into the river below North river bridge, which afford very large quantities of water in the wettest season, and cause the water to flow over the meadows from upland to upland; sometimes remaining ten days in succession without any perceptible ebb.

Were the water in a heavy freshet shut into North river by flood-gates, and a heavy easterly storm occurring at the time, together with a very high tide, some men of the best judgment, anticipate that the water would find its way through the beach at a weak point above the flood-gates, should they be placed at Ferry Hill. Several years ago, the citizens of Marshfield made an excavation through said beach, thinking to form a new channel for the river; but failed in consequence of there being nothing to check the water below, as a dam would unavoidably do.

As the water runs from a long distance above and comes nearly square to said beach, where it turns and runs nearly parallel to it, it would, in our opinion, make an excavation for the water of the river to pass out, and the sea water would pass in at the same place, furnishing more salt water than heretofore.

We are somewhat surprised to see the two rivers embraced in one petition. They are nearly distinct from each other, only mingling their waters at the bar. The persons who own land on North river, do not, as a general thing, own land on South river.

We are not aware that any person belonging to Scituate or So. Scituate, owns an acre of land bordering on South river in Marshfield. We therefore believe that two distinct petitions ought to have been published.

The towns of Scituate and Marshfield have recently voted to take stock in the Cohasset and Duxbury railroad, to the amount of $150,000, and it is now in progress of construction; each town having a war debt, which will increase their indebtedness to nearly $200,000. We, the farmers, owners of marsh lands, do severally pray that your Honors may not do anything to increase our burdens, as we fear we now have more than we can bear.

The North river is navigable. Ships and other vessels have been built on the river, from one hundred to five hundred tons in capacity. There is now in progress of construction, on said river, a vessel of one hundred tons. [The *Helen M. Foster*.] All the shoals in said river remain the same as they were when the Mayflower dropped anchor in Plymouth harbor, except a new shoal near the mouth of the river, which was formed by the action of the sea on the low beach opposite the river, where billow after billow has passed over, removing large quantities of sand and pebble-stones into the bed of the river. If this shoal was removed, the river would be as accessible for large vessels as formerly. There is more ship-timber in the vicinity of the river to-day than there was when the shoal above mentioned was formed, which is thirty-seven years ago. [c. 1834.]

The North river forms a very magnificent sight when viewed from Colman’s hills in Scituate. Large quantities of herring, shad, bass, eels, &c., were formerly taken from the river. The facilities for propagating fish are as good now as at any former period; all that is needed to give them a good chance to run up into the Indian ponds in Pembroke, there to spawn, where there are several large sandy bottom ponds, the best we have seen in the State. We also need good laws enforced to protect them.

When Mr. Dean wrote the history of Scituate [Deane, 1831], he stated that the fish were then on the decrease; they are now on the increase.

The reason they decreased in years passed, is because the fishermen took undue advantages of the law, by using sweep seines at unlawful hours.

The herring brook in Pembroke, which the herring have to pass up in order to obtain their spawning ground, is very shallow.

The process of draining would probably deprive the fish of their natural element, so they would not be able to pass either up or down.

Were the river drained by the middle of May, we should probably have stagnant water from that time until the rainy season in the fall. Most of the tributaries would probably be dried up, after the water in the river is reduced, say to three feet in depth; its water would become stagnant, and would be detrimental to the fish.

The river bed is generally uneven, and there are a number of shoals. The stagnant water would impregnate the air in the vicinity of the river, and it would be unhealthy at some distance from its borders. The river in question is a very sluggish stream as it now is.

We believe the petitioners ought to have had a competent Geologist to make a careful examination of those meadows, in order to ascertain what the soil is, and if it is well adapted to agriculture, before they ask the Legislature to grant them a privilege to drain the land for that purpose. For valuable information in regard to the North river in question, we refer your Honors to Dean’s History of Scituate.

We understand by the report of the State Geologist of New Jersey, for the year 1869, that persons owning meadow lands in that State, have to act under the Bank Meadow law of the State, which provides that they shall get the consent of the owners of two-thirds the number of acres included in the grant, before they can form themselves into a company to make improvements, or transact business.

We also understand by the same Report, that there are many of the salt marshes which contain too little earthy matter to be very solid, and will soon sink to low water mark if drained. We believe the meadows at the lower end of said river are of that quality.

At the upper part of the river, the soil is of a different quality, and bears fresh grass. The river is much narrower, and the meadows much less expansive. They also receive fertilizing matter from the hills which stretch along their borders.

There are seventy non-resident persons, owning three hundred acres of meadow land in Scituate, who live from five to twenty miles distant from their meadows.

We consider it unjust for persons owning marsh lands on South river, to be allowed to act in regard to draining North river, not owning lands on that river; also for the persons owning North river, to be allowed to take any action on the question of draining South river, not owning lands there.

Eighteen miles up North river, is North river bridge, near which are several cranberry meadows. The cranberry vine needs water more than any other plant, and must have it, or it will die. There is one meadow of twelve acres in that vicinity. The vines need to be flooded until the first of June, in order to raise cranberries successfully. In order to raise *grass* susuccessfully, the water ought to be taken from the land by the first of April; so we see one process would not be congenial to both kinds of vegetation; the two kinds being adjacent above North river bridge, there would consequently be a clashing between the cranberry and the grass producers, should there be any alteration in that locality.